



02-23-04

Image

RCE  
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PTO/SB/30 (09-03)

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**Request  
For  
Continued Examination (RCE)  
Transmittal**

Address to:  
MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<b>Application Number</b>	09/767370-Conf. #2716
<b>Filing Date</b>	January 23, 2001
<b>First Named Inventor</b>	Jeffrey L. Browning
<b>Art Unit</b>	1642
<b>Examiner Name</b>	C. H. Yaen
<b>Attorney Docket No.</b>	BGNA054RCE

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ii.  Other \_\_\_\_\_
  - b.  Enclosed
    - i.  Amendment/Reply (9 pages)
    - ii.  Affidavit(s)/Declaration(s)
    - iii.  Information Disclosure Statement (IDS)
    - iv.  Other \_\_\_\_\_
2. **Miscellaneous**
  - a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - b.  Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
  - a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-0080
    - i.  RCE fee required under 37 CFR 1.17(e) 02/25/2004 MGEBREH1 00000089 120080 09767370
    - ii.  Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 DA  
02 FC:1203 290.00 DA
    - iii.  Other \_\_\_\_\_
  - b.  Check in the amount of \$ \_\_\_\_\_ enclosed
  - c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Amy E. Mandragouras	Registration No. (Attorney/Agent)	36,207
Signature	Date <u>February 20, 2004</u>		

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 311 022 455 US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 20, 2004

Signature

(Amy E. Mandragouras)



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Browning *et al.*

Serial No.: 09/767370

Filed: January 23, 2001

For: *Method For the High Level Expression of Active Lymphotoxin-Beta Receptor Immunoglobulin Chimeric Proteins and Their Purification*

Attorney Docket No.: BGNA054RCE

Group Art Unit: 1642

Examiner: C.H. Yaen

MS RCE  
Commissioner for Patents  
Washington, D.C. 20231

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Date of Deposit February 20, 2004

I hereby certify that this document is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

Amy E. Mandragouras, Esq.

Please Print Name of Person Signing

### AMENDMENT AND RESPONSE

Dear Sir:

This Amendment and Response is responsive to the Office Action dated May 20, 2003.

A Request for Continued Examination and a request for the appropriate extension of time in which to respond are being filed concurrently herewith. Responsive to the Office Action, please amend the above-identified patent application as follows: